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The Publishers' Weekly.

JULY 5, 1890.

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English Books, June 28.
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NOTES IN SEASON.

GINN & Co. will publish this summer a "New Fourth Music Reader," for boys' and mixed schools, by Luther Whiting Mason and George A. Veazie, Jr.

LONGMANS, GREEN & Co. will publish at once a new novel by the author of "Thoth," entitled "Toxar." The hero, "Toxar," is one of the strangest characters in recent romance. a crafty British slave who serves a Greek tyrant to his inevitable death.

DE WOLFE, FISKE & Co. have just published "Mystery Evans," a novel describing the romantic life of three "Wellesley" girls, written in a graphic and entertaining manner; also, "What is the Matter, or, our tariff and its taxes," by N. H. Chamberlain, a discussion of the tariff laws from a free-trade point of view.

BENJ. R. TUCKER, Boston, has just published "The Ragpicker of Paris," a masterpiece of fiction, by Félix Pyat. The work was originally written as a play; but the author elaborated it into a novel, shortly before his death, which occurred last summer. In its new form it presents a complete panorama of the Paris of the present century.

HARPER & BROS. have just ready "The Aztec Treasure House," by Thomas Janvier, who, in the form of romance, gives the result of many years of unremitting labor, and furnishes reliable facts regarding Yucatan and Mexico, put together with his special knack at artistic color in word-painting; also a library edition of Walter Besant's new romance of to-day, entitled "Armored of Lyonesse," which was issued a week ago in the *Franklin Square Library*. The story opens in the Scilly Islands. Both volumes are fully illustrated.

FLEMING H. REVELL, of New York and Chicago, has arranged with the English publishers to issue at once an author's edition of Prof. Dawson's new work, "Modern Ideas of Evolution as Related to Revelation and Science." He also announces that "Greek Pictures Drawn with Pen and Pencil," by the Rev. J. P. Mahaffy, author of "Greek Life and Thought," etc., will be issued in the early autumn. This volume will sustain the high reputation already attained by the *Pen and Pencil Series*, of which this is the twenty-first volume, Prof. Mahaffy being the acknowledged authority on "Greece."

G. P. PUTNAM'S SONS have in press for early publication "The Trees of Northeastern America," by Charles S. Newhall, with an introductory note by Prof. N. L. Britton, of Columbia College, which describes all the native trees of the Northern United States east of the Mississippi, as well as mentions the more important naturalized species, with illustrations made from tracings of the leaves of the various trees; "Gustavus Adolphus and the Struggle of Protestantism for Existence," by C. R. L. Fletcher, in the *Heroes of the Nations Series*; "The Jews under the Romans," by the Rev. M. Douglas Morrison, in the *Story of the Nations Series*; "Dust and Its Dangers," by Dr. T. M. Prudden, written with the purpose of informing people, in simple language, what the real danger is of acquiring serious disease, especially consumption, by means of dust-laden air, and how this danger may be avoided; "Among Moths and Butterflies," by Julia P. Ballard, a well-written book, on an interesting subject, for young people; and a new and popular edition of "Seven Thousand Words often Mispronounced," which has proved one of the most successful of Phye's books. They have also under way "Tabular Views of Universal History," a series of chronological tables presenting, in parallel columns, a record of the more noteworthy events in the history of the world from the earliest times down to 1890, compiled by G. P. Putnam and Lynds E. Jones. The tables are so arranged that the reader can see at a glance who were the contemporary rulers and what was going on in the different realms of the world at any given date, not only as to political changes, but in the progress of society. The earlier tables, prepared by the late G. P. Putnam, have been continued to date, on the same general plan, by Lynds E. Jones.

WEEKLY RECORD OF NEW PUBLICATIONS.*

The abbreviations are usually self-explanatory. *c.* after the date indicates that the book is copyrighted; in the copyright date differs from the imprint date, the year of copyright is added. Books of foreign origin of which the edition (annotated, illustrated, etc.) is entered as copyright, are marked *c. ed.*; translations, *c. tr.*; *n. p.* in place of price, indicates that the publisher makes no price, either net or retail, and quotes prices to the trade only upon application.

A colon after initial designates the most usual given name, as: *A: Augustus; B: Benjamin; C: Charles D: David; E: Edward; F: Frederic; G: George; H: Henry; I: Isaac; J: John; L: Louis; N: Nicholas; P: Peter; R: Richard; S: Samuel; T: Thomas; W: William.*

Sizes are designated as follows: *F.* (folio: over 30 centimeters high); (*O.* 4to: under 30 cm.); *O.* (8vo: 25 cm.) *D.* (12mo: 20 cm.); *S.* (16mo: 17½ cm.); *T.* (24mo: 15 cm.); *Tt.* (32mo: 12½ cm.); *Fe.* (48mo: 10 cm.). *Sq.*, *obl.* *nar.*, designate square, oblong, narrow books of these heights

B., H. B., comp. Gems from the east: a birthday-book of precepts and axioms; il. by F. W. N. Y., W. Q. Judge, 132 Nassau St., 1890. no paging, il. Tt. bds., net, 75 c.

Bates, Katherine Lee. Hermit Island. Bost., D. Lothrop Co., [1890.] c. 5-345 p. il. D. cl., \$1.25.

Life upon a desert island off the coast of Maine is the background to this tale for young people. Two sisters as like and as different as ever two sisters were are the central figures. Considerable analytic power is evinced by the author in tracing the play of motives in these little great souls, and in tracing their growth under the influence of the strange lives they came in contact with.

Besant, Walter. Armored of Lyonesse: a romance of to-day. N. Y., Harper, 1890. 4+396 p. il. O. (Harper's Franklin sq. lib., new ser., no. 674.) pap., 50 c. *Same, Library ed.*, 4+396 p. D. cl., \$1.25.

One of the Scilly isles is the home of Armored, a young girl of sixteen when the story opens. Her ancestors have been wreckers and smugglers, and have all met violent deaths, owing, it is supposed, to a curse which followed them after her great-great-grandfather had stolen the fortune—a bag of uncut rubies—from a shipwrecked man. Armored lives alone with her great-great-grandmother and some ancient servitors. The island seems a land of enchantment, full of strange sights and wonderful bits of scenery. It is told how Armored meets the hero, how she comes into the inheritance of her smuggler ancestors, finds the bag of rubies and hears the story concerning them, and then dedicates her life to finding the descendants of the wronged man.

***Bible.** The Gospel history of our Lord and Saviour Jesus Christ, in a connected narrative in the words of the revised version; arranged by C. C. James. N. Y., Macmillan & Co., 1890. 26+188 p. 12°, cl., \$1.10.

Campbell, Douglas Houghton. Elements of structural and systematic botany for high schools and elementary college courses. Bost., Ginn & Co., 1890. c. 8+253 p. il. D. cl., \$1.25.

Dance, A. A. Dance's veterinary tablet: being a synopsis of the diseases of horses, cattle and dogs; with their cause, symptoms, and cure. Marietta, Ga., A. A. Dance, P. O. Box 18, 1890. c. folded map, S. cl., 50 c.; pap., 25 c.

*Gives in map form tabulated, diseases, with cause, symptoms in horses, in cattle and in dogs, with cure in each case; the cure referring by number to the prescriptions at the bottom of the map.

***David, T. W. Rhys, ed.** The sacred books of the East, v. 35, The questions of King Milanda; tr. from the Pali, by T. W. Rhys Davids. N. Y., Macmillan & Co., 1890. 49+320 p. 8°, cl., \$2.75.

***Dick, H. B.** Dick's book of alphabets, plain and ornamental; for use of architects, decorators, etc. N. Y., Dick & Fitzgerald, 1890. 4°, cl., \$1.50.

***Dick, H. B.** Dick's little dialogues for little people. N. Y., Dick & Fitzgerald, 1890. 90 p. 16°, pap., 15 c.

***Dick, H. B.** Dick's Little speeches for little

speakers. N. Y., Dick & Fitzgerald, 1890. 90 p. 16°, pap., 15 c.

Edwards, Julia. Sadia the rosebud. N. Y., Street & Smith, [1890.] c. 4-240 p. D. (The select ser., no. 47.) pap., 25 c.

Feuillet, Octave. An artist's honor. tr.; by E. P. Robins. N. Y., Cassell Pub. Co., [1890.] c. 3+254 p. D. (Cassell's sunshine ser., no. 51.) cl., 75 c.; pap., 50 c.

A French story, in which the hero is seeking a wealthy bride to please his aunt; but he loves his aunt's poor companion, Beatrice, and asks for her hand. To save him from being disinherited the girl refuses him and marries his friend Fabrice, a famous artist; and the hero, Pierre, the Marquis de Pierrepont, finds his wealthy bride. The dramatic part of the story comes after these two marriages, when Pierre and Beatrice again meet, and confess they still love each other.

Frothingham, Octavius Brooks. Boston Unitarianism 1820-1850; a study of the life and work of Nathaniel Langdon Frothingham: a sketch. N. Y., G. P. Putnam's Sons, 1890. c. 4+272 p. D. cl., \$1.75.

The events of Dr. Frothingham's life were so few that his son has woven into his reminiscences of him a sketch of his time. The topics touched upon are found in the titles of the chapters, namely: Three types of Unitarianism; The first church; The dogmatical position; Literature and religion; The Unitarian layman; The old world; The freedom of friendship; The Boston Association of Congregational ministers.

Gardener, Helen H. A thoughtless yes. N. Y., Belford Co., 1890. c. 4-231 p. D. (The Belford American novel ser., no. 29.) cl., \$1; pap., 50 c.

Short Stories: A splendid judge of a woman; The lady of the club; Under protest; For the prosecution; A rusty link in the chain; The Boler House mystery; The time-lock of our ancestors; Florence Campbell's fate; My patient's story.

***Greswell, Rev. W. Parr.** History of the Dominion of Canada; [prepared] under the auspices of the Royal Colonial Institute. N. Y., Macmillan & Co., 1890. 31+339 p. 12°, cl., \$2.

***Gresswell, D. Astley.** A contribution to the natural history of scarlatina, derived from observations on the London epidemic of 1887-1888; being a dissertation for the degree of Doctor of Medicine in the University of Oxford. N. Y., Macmillan & Co., 1890. 8+205 p. 8°, cl., \$2.50.

Henley, W. E. Views and reviews; essays in appreciation. N. Y., C. Scribner's Sons, 1890. 9+235 p. D. cl., \$1.

Forty short essays on as many prominent figures in English and French literature. The names of Dickens, Thackeray, Disraeli, Dumas, Hugo, Byron, Meredith, Shakespeare, Tennyson, and many others as familiar are included, with light, graceful criticisms upon their works and the characters in fiction they have made famous. Mr. Henley is the author of "A book of verses." These essays have been gathered from his past fourteen years of journalistic work.

***Hughes, T.** Tom Brown's school-days, by an old boy; with 58 il. by Arthur Hughes and

*In this list, the titles generally are verbatim transcriptions (according to the rule of the American Library Association) from books received. Books not received are indicated by a prefixed asterisk and this office cannot be held responsible for the correctness of their record.

- Sydney Prior Hall. N. Y., Macmillan & Co., 1890. 144 p. 8°, pap., 25 c.
- ***Iowa.** Highway laws of the state; cont. all the laws of Iowa relating to the powers and duties of highway supervisors, with all amendments, including the laws of 1890, with practical forms and proceedings. Burlington, Iowa, Acres, Blackmar & Co., 1890. c. 54 p. O. pap., 25 c.
- ***Iowa.** *Supreme Ct. Reports* of cases; E. C. Eber-sole, rep. V. 20, being v. 78 of the series, (May and Oct. terms, 1889.) Columbia, E. W. Stephens, 1890. c. 852 p. O. shp., \$3.
- Janvier, T. A.** The Aztec treasure-house: a romance of contemporaneous antiquity. N. Y., Harper, 1890. c. 446 p. il. D. cl., \$1.50.
A succession of strange and wonderful sights and adventures very much of the Rider Haggard order are embodied in this narrative, which describes the journey of the author and his two friends Rayburn and Young, a Catholic priest Fray Antonio, and a Mexican boy Pablo, in their search after and their finding of the great treasure that was hidden, in a curiously secret place among the Mexican mountains, more than a thousand years ago, by Chaltzantzin, the third of the Aztec kings.
- ***Jenks, E.** The constitutional experiments of the commonwealth: a study of the years 1649-1660: Thirlwall dissertation, 1889. N. Y., Macmillan & Co., 1890. 4+154 p. 12°, cl., 90 c.
- ***Kingsley, C.** Village sermons, and town and country sermons. N. Y., Macmillan & Co., 1890. 9+452 p. 12°, cl., \$1.25.
- ***Kirkpatrick, T. S. G.** The hydraulic gold miner's manual. N. Y., E. & F. N. Spon, 1890. 32 p. il. 12°, cl., \$2.25.
- ***Knight, F. A.** By leafy ways: brief studies in the book of nature. Bost., Roberts Bros., 1890. il. 12°, cl., \$1.50.
- Korolenko, Vladimir.** The blind musician; from the Russian, by Aline Delano; with an introd. by G. Kennan and il. by Edmund H. Garrett. Bost., Little, Brown & Co., 1890. 12+244 p. D. cl., \$1.25.
In this sketch, called by Korolenko "A psychological study," the author has attempted to analyze the inner life of the blind. He has undertaken to lay before the reader not only the psychological processes in the mind of the blind, but their suffering from the lack of sight as well uncomplicated by any untoward circumstances. The subjects for this study are a blind girl, whom the author had known as a child; a boy, a pupil of his, who was gradually losing his sight; and a professional musician, blind from his birth, intellectually gifted, scholarly, and refined.
- ***Lankester, E. Ray.** The advancement of science, occasional essays and addresses. N. Y., Macmillan & Co., 1890. 6+387 p. 8°, cl., \$3.
- ***Laurie, S. S.** Lectures on language and linguistic method in the school, delivered in the University of Cambridge, Easter term, 1889. N. Y., Macmillan & Co., 1890. 8+147 p. 12°, cl., 90 c.
- Lemon, C. M.** Civil government outlined. Lebanon, O., March Bros., 1890. c. '85. 16 p. T. (School helps, no. 2.) pap., 10 c.
- Lemon, C. M.** Geography outlined. Lebanon, O., March Bros., 1890. c. '86. 4+40 p. T. (School helps, no. 4.) cl., 25 c.; pap., 15 c.
- Lemon, C. M.** United States history outlined. Lebanon, O., March Bros., 1890. c. '84. 4+27 p. T. (School helps, no. 1.) cl., 25 c.; pap., 15 c.
- Linderfelt, Klas August, ed.** Catalogue of the books in the library of the Ladies' Art and Science Class of Milwaukee; consisting chiefly of works of art history and criticism and the history and description of various countries. Milwaukee, Wis., Ladies' Art and Science Class, 1890. O. pap., net, \$1.
This catalogue is arranged on what is known as the dictionary plan, with entries of each book under its author's name, its subject, and frequently its title, when this does not clearly indicate the subject, the whole in one single alphabetical series.
- ***Lubbock, Sir J.** Fifty years of science; being the address delivered at York, to the British Association, Aug., 1881. 4th ed. N. Y., Macmillan & Co., 1890. 111 p. 12°, cl., 75 c.
- McGovern, J.** Burrill Durand: a romance of the middle West. N. Y. and Chic., Rand, McNally & Co., 1890. c. '87, '90. 3-318 p. D. (Globe lib., v. 1, no. 126.) pap., 25 c.
- Mack, C. S., M.D.** Philosophy in homœopathy: addressed to the medical profession and to the general reader. Chic., Gross & Delbridge, 1890. c. 3-174 p. D. cl., \$1.
Papers on: The relation between patient and physician—between the State and the medical profession; Philosophy and medicine; Is homœopathy exclusive? Homœopathy the only system of curative medicine; The physiological action of drugs, etc.
- ***Minnesota.** *Supreme Ct. Reports*. V. 41, cases argued and determined, June-Nov., 1889; G. B. Young, rep. St. Paul, West Pub. Co., 1890. c. 17+592 p. O. shp., \$2.75.
- ***Mitchell, E. Coppée.** The law of real estate and conveyancing in Pennsylvania; prepared for the press by Robert Ralston. Phil., Rees, Welsh & Co., 1890. c. 30+573 p. O. shp., \$5.
- Montague, C. Howard, and Dyar, C. W.** Written in red; or, the conspiracy in the North case: (a story of Boston.) N. Y., Cassell Pub. Co., [1890.] c. 5+335 p. D. (Cassell's sunshine ser., no. 50.) cl., 75 c.; pap., 50 c.
The firm of North & Stackhouse was brought to an abrupt termination by a ghastly crime; a word written with the blood of the victim furnishes a clue; upon the detectives' way of following up this evidence the story depends, and when the mystery is finally elucidated, it is the unexpected that ends a sensational novel.
- ***Newman, J.** Earthwork slips and subsidences upon public works; their causes, prevention, and reparation, especially written to assist those engaged in the construction or maintenance of railways, docks, canals, etc. N. Y., E. & F. N. Spon, 1890. 234 p. 8°, cl., \$3.
- ***Nichol, J., and McCormick, W. S.** Questions and exercises on English composition. N. Y., Macmillan & Co., 1890. 124 p. 16°, cl., 35 c.
- Parsons, Albert Ross.** Parsifal: the finding of Christ through art; or, Richard Wagner as theologian. N. Y., G. P. Putnam's Sons, 1890. c. 3-113 p. O. cl., \$1.
The main text of this work was delivered in the form of a lecture before the Lecture Chapter of the Guild of All Souls Church (Episcopal), New York City, Sunday, May 19, 1889, by invitation of the Guild, through the Rev. R. Heber Newton, rector of the parish. The question the writer seeks to answer is not what Wagner wrote in Parsifal, nor how he wrote it, musically and otherwise, but how he came to write the work at all. Or, in other words, what sort of a personal relation to, and what sort of an interest in Christianity it was which impelled him to the toil involved in the design and execution of such a work.
- Pendleton, J.** Newspaper reporting in olden time and to-day. N. Y., A. C. Armstrong & Son, 1890. 7+245 p. S. (The book-lovers' lib.) cl., \$1.25.
A little book dealing simply with the English newspaper reporter and his toil, pointing out how and under what conditions he does his work as the daily historian of the time. There are chapters on reporting in olden time, on the reporter in Parliament, incidents and traditions of "the gallery," reporting to-day in "the house," a gossip about shorthand, and some experiences and adventures of reporters. A concluding chapter gives an interesting list of writings on newspapers and reporters.

- ***Pennsylvania.** *Supreme ct. Reports*, v. 130; by Boyd Crumrine, st. rep. V. 15, cont. cases decided at Oct. term, 1889, and Jan. term, 1890. N. Y. and Alb., Banks & Bros., 1890. c. 18+703 p. O. shp., \$3.50.
- ***Pennsylvania.** *Supreme ct. Reports* of cases, by B: Grant. 2d ed., by T. Elliott Patterson. V. 3. Phil., W: J. Campbell, 1890. c. 601 p. O. shp., \$5.
- ***Peters, C.** Home handicrafts. N. Y. and Chic., Fleming H. Revell, 1890. 160 p. sq. 8°, cl., \$1.
- Planche, J. R., comp.** Select recitations and readings; [also,] The loan of a lover; a comedietta. N. Y., Street & Smith, [1890.] 1-211 p. D. (The hand-book lib., no. 4.) pap., 25 c.
- ***Price, Walter.** Turner's handbook on screw-cutting, coning, etc.; with tables, examples, gauges, and formulæ. N. Y., E. & F. N. Spon, 1890. 56 p. 16°, cl., 40 c.
- ***Pugh, E. F.** Forms of procedure in the court of admiralty of the United States of America, together with an appendix, cont. forms of marine contracts, etc., and the rules of practice in causes of admiralty, prescribed by the supreme court. Phil., T. & J. W. Johnson & Co., 1890. c. 7+338 p. O. shp., \$5.
- ***Ram, Ja.** A treatise on facts as subjects of inquiry by a jury. 4th ed., with all the notes to the previous eds. by J: Townsend, and additional notes and references by C: F. Beach, jr.; with an appendix cont. D: Paul Brown's golden rules for the examination of a witness, etc., etc. N. Y., Baker, Voorhis & Co., 1890. c. 18+517 p. O. shp., \$4.50.
- ***Redfield, Amasa A.** The law and practice of surrogates' courts in the State of New York. 4th ed. N. Y., Baker, Voorhis & Co., 1890. c. 47+1099 p. O. shp., net, \$8.
- ***Ropp's (C.)** Commercial calculator: a practical arithmetic for practical purposes. *New rev. ed.* Milwaukee, Wis., C. N. Caspar, 1890. 128 p. 16°, mor. tuck, \$1.25; im. mor. tuck, 75 c.; flex. bds., 50 c.
- ***Rouse, Lydia L.** The parting at the Burnside. Phil., American Baptist Pub. Soc., 1890. 256 p. il. 12°, cl., \$1.
- ***Rowan, Roy.** Rowan's riddles and conundrums. N. Y., Dick & Fitzgerald, 1890. 64 p. 16°, pap., 15 c.
- Saint-Amand, Imbert de.** Marie Antoinette and the end of the old régime; tr., by T: Sergeant Perry. N. Y., C: Scribner's Sons, 1890. c. tr. 5+300 p. por. D. cl., \$1.25.
Carries the story of France and the French court, from the birth of the Dauphin to the beginning of the revolution and the flight of Marie Antoinette and Louis XVI. from Paris. Through the whole story Marie Antoinette is the central figure—her beauty, grace, vivacity, and courage forming a most attractive picture.
- ***Saint-Venant, Barre de.** The classical researches of Barre de Saint-Venant; ed. by Karl Pearson. N. Y., Macmillan & Co., 1890. 12+296 p. 8°, cl., \$2.75.
- ***Shadwell, Mrs. Lucas.** Not his own master; or, Ronald Eversley's experiences. N. Y. and Chic., Fleming H. Revell, 1890. 320 p. 12°, cl., \$1.40.
- ***Stanley, H: M.** In darkest Africa; or, the quest, rescue, and retreat of Emin, Governor of Equatoria. N. Y., C: Scribner's Sons, 1890. 2 v., 8°, cl., subs., \$7.50.
- ***Stevenson, R. L., and Osbourne, Lloyd.** The wrong box. *New cheaper ed.* N. Y., C: Scribner's Sons, 1890. 12°, pap., 50 c.
- ***Syllabus** of elementary dynamics. Pt. I, Linear dynamics; with an appendix on the meanings of the symbols in physical equations; prepared for the Association for the Improvement of Geometrical Teaching. N. Y., Macmillan & Co., 1890. 39 p. 4°, pap., 30 c.
- ***Townsend, G: Alfred,** ["Gath," *pseud.*] Katy of Catocotin: a national romance. *New ed.* N. Y., Appleton, 1890. 12°, (Town and country lib.) pap., 50 c.
- ***United States.** *Supreme ct. Reports*, v. 134, Oct. term, 1889; J. C. Bancroft Davis, rep. N. Y. and Alb., Banks & Bros., 1890. c. 23+793 p. O. shp., \$2.50.
- ***Virginia.** Acts and joint resolutions passed by the General Assembly of the State of Virginia, during the session of 1889-90. Richmond, Va., J. W. Randolph & English, 1890. 1115 p. 8°, hf. shp., net, \$2.50.
- Warfel, J. F.** Physiology outlined. Lebanon, O., March Bros., 1890. c. '85. 2-34 p. T. (School helps, no. 3.) cl., 25 c.; pap., 15 c.
- Wheelbarrow,** [*pseud.* for M. M. Trumbull.] Wheelbarrow articles and discussions on the labor question, including the controversy with Lyman J. Gage on the ethics of the Board of Trade, and the controversy with Hugh O. Pentecost and others on the single tax question. Chic., The Open Court Pub. Co., 1890. 303 p. por. D. cl., \$1.
These articles were written by a man who has worked for years as an unskilled laborer—hence he knows from experience the sufferings and hardships workingmen have to endure.
- Whittlesey, Mills, and Jamieson, A. F., comps.** Harmony in praise. Bost., D. C. Heath & Co., 1890. c. 3+109 p. O. cl., \$1.05.
A collection of devotional rather than doctrinal hymns, for the requirements of worship in the home, the school, and the college. The aim has been to select gems of sacred song. Around each tune are grouped four hymns.
- Wilson, G. H., comp.** The musical year-book of the United States. V. 7, Season of 1889-1890. Bost., G. H. Wilson, 152 Tremont St., [1890.] c. 131 p. sq. S. pap., \$1.
A record of the music publicly performed in the United States during the past year.
- ***Wilson, Moses F.** The criminal code of Ohio; with forms and precedents for indictments, informations, and affidavits, forms for writs, etc., and digest of decisions. 3d ed., rev. Cin., Rob. Clarke & Co., 1890. 6+671 p. 8°, shp., net, \$5.
- ***Wolgemuth, C. H.** The carpenter and builder's ready reckoner: a short and practical system of estimating quantities of material and prices. Milwaukee, Wis., C. N. Caspar, 1890. 128 p. 16°, flex. leatherette, \$1.
- ***Yonge, Charlotte M.** Cameos from English history: the rebellion and restoration (1642-1678); 7th series. N. Y., Macmillan & Co., 1890. 8+341 p. 12°, cl., \$1.25.

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LIST OF NEW ENGLISH BOOKS.

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| Selected from the current [London] "Publishers' Circular." | |
| Bennett, C. The modern malady; or, sufferers from nerves. With a preface by Herbert Tibbits. Post 8°, 202 p., 6s. | Arnold |
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| Goldberg, W. F., and Piessé, G. C. Monte Carlo and how to do it. 15°. 110 p., 18s. | Simphin |
| Kipling, R. The story of the Gadsbys: a tale without a plot. 8°. 82 p., 18s. | Low |
| Pearson, E. Banbury chap-books. il. cr. 4°. 6s. | A. Reader |
| Pendleton, J. Newspaper reporting in the olden time and to-day. (Book-Lover's Library.) 12°. 252 p., 4s. 6d. | Stock |
| Schrader, O. Prehistoric antiquities of the Aryan peoples: a manual of comparative philology and the earliest culture (being the "Sprachvergleichung und Urgeschichte." Translated by Frank Byron Jevons from the second revised and enlarged German edition with the sanction and co-operation of the author. 8°. 496 p., 21s. | Griffin |
| Watson, W., and Bean, W. Orchids: their culture and management; with descriptions of all kinds in general cultivation. Illustrated by colored plates and numerous engravings. 8°. 560 p., 15s. 6d. | L. U. Gill |
| Wharton, E. R. Etyma Latina: an etymological lexicon of classical Latin. Post 8°. 192 p., 7s. 6d. | Rivington |

The Publishers' Weekly.

FOUNDED BY F. LEYPOLDT.

JULY 5, 1890.

The editor does not hold himself responsible for the views expressed in contributed articles or communications.

All matter, whether for the reading-matter columns or our advertising pages, should reach this office not later than Wednesday noon, to insure insertion in the same week's issue.

In case of business changes, notification or card should be immediately sent to this office for entry under "Business Notes." New catalogues issued will also be mentioned when forwarded.

Publishers are requested to furnish title-page proofs and advance information of books forthcoming, both for entry in the lists and for descriptive mention. An early copy of each book published should be forwarded, to insure correctness in the final entry.

"Every man is a debtor to his profession, from the which, as men do of course seek to receive countenance and profit, so ought they of duty to endeavor themselves by way of amends to be a help thereunto."—LORD BACON.

THE BRITANNICA COPYRIGHT DECISION.

THE dismissal of two demurrers and leave to amend on a third, in three "Encyclopædia Britannica" cases, by Judge Shipman, of the U. S. Circuit Court, though a negative act restating well-understood principles of copyright law, constitutes practically an important step forward in the protection of literary property. The issue was a simple one: whether a writing of an American author, constituting in the sense of the law a book, forfeited copyright by being joined with the writing of other, most of them foreign, authors, into a composite book or encyclopædia. It had been previously held that when American and foreign authors joined in producing a book, the claimant of copyright might be required on interrogatories to declare what part or parts were written by the American, and that these and these only could be held as copyright. The rest of the book any one might reprint. Judge Shipman's action is exactly in line with this. No one may reprint the parts written or, as to maps, prepared and copyrighted by Americans; any one, it is an easy corollary, may reprint the other parts. The logical and probably the actual result of this act, if supported by the decision therein foreshadowed, will be to stop entirely the publication and sale of the photographic reprints marketed by Messrs. Allen, Wanamaker, Funk & Wagnalls, and others, since publication or exposure for sale will entail forfeiture of all copies and civil damages in addition. Messrs. Funk & Wagnalls promptly an-

nounce, under date of July 1, that they will not attempt sales beyond completing deliveries to present subscribers. These editions can only be made legal by cutting out all the articles copyrighted by American writers, in which case the *fac-simile* editions could no longer boast completeness. The general copyright by Messrs. A. & C. Black is of course meaningless, and the illegal use of copyright notice by them may entail the \$100 penalty.

Previous to this decision, the "Britannica" war had been raging merrily in the *Evening Post*, which has been giving pages of its space to attacks by itself and its correspondents on Messrs. Funk & Wagnalls in particular, and to Dr. Funk's replies. The *Postifex Maximus* has banged away with its usual infallibility and has loftily put aside its victim's *tu quoque* that it had been cribbing English stories weekly. All the same, the *Post* has been doing public service by using this instance to awaken public sentiment, and it is unfortunate that a house which has put itself forward as an advocate of international copyright should fall back on the shifts and evasions of Messrs. Funk & Wagnalls' position. The *Post* was of course promptly able to announce that the contribution of £100 to Messrs. Black by the American firm had been summarily rejected.

Judge Shipman unhesitatingly put aside the claim that Messrs. Black, by taking such advantage as they could of the American copyright law, had "set a trap" for innocent American publishers, who should be righteously resentful of such trickery. Of course, every American publisher who handles such material deliberately considers the risk. Nevertheless there is more in one part of Messrs. Funk & Wagnalls' plea in mitigation than the *Post* is willing to admit. The absence of an international copyright law puts every careful and upright American publisher at a serious disadvantage. He cannot conduct his business as though there were such a law, for if he pays a foreign author as he would pay an American author, he is in danger of losing his investment at any moment by the competition of a publisher who pays nothing. If he chooses the alternative of publishing only copyright books, he limits his field and his enterprise, and has not a fair show alongside his more "enterprising" competitors. He is therefore forced by the absence of law into the position of Messrs. Funk & Wagnalls, difficult as that is of defence. The *Post* is in exactly the same position. You, dear *Post*—to adopt your favorite mode of direct address—know perfectly well that you would not dare to reprint complete stories from *Harper's* or *The Century* as you reprint them from the English magazines, on the plea that the publishers like it and that it advertises the excellence of their wares. The absence of law is a premium on dis-

honesty, and it leads very good people into very bad ways. Let us have LAW.

The *Britannica* reprints show how an international copyright law would finally work down the price of books. There is no field where cheapness of supply so increases demand. This is what the French and Germans, and even our English brethren have learned, as we have not. The *Britannica* is an enormously expensive undertaking, well worth the \$8 per volume of the original edition. But the number of people who can pay \$198 for a work even of its intrinsic value, is limited. The number who can pay \$2 or \$3 a volume is practically unlimited. The true business policy of Messrs. Black, under international copyright, would have been, after a reasonable interval for marketing the original edition, to have provided a cheaper edition, which would meet the market reached by these reprints. They did this in a manner by their arrangement with Messrs. Scribner, but not to the extent they would have been justified in pushing the work, had the market been secured to them. This is exactly what Messrs. Macmillan did with Skeats' magnificent and invaluable Etymological Dictionary; the original edition costs \$11, the special American edition, photographed down, only \$2.50. In the interest of cheaper books, let us have an international copyright law.

A PROPOSED AUTHORS' PROTECTIVE UNION.

A MOVEMENT is afoot in Brooklyn, N. Y., to form an Authors' Protective Union, and already a meeting has been held to discuss ways and means to incorporate such a society. The principal agitators of this movement claim to have suffered at the hands of their publishers, and have therefore become determined that "the existing relations between authors and publishers, by which the former are almost entirely at the mercy of the latter, shall come to an end." The weaker sex seems to lead in the matter. One of these explained to a reporter of a daily newspaper that "the movement came into existence from the necessity for it. I think it is best there should be such a movement now so as to get ready for the fall. What has been arranged is that there shall be a second meeting in October, and in the meantime the working up of the thing has been given to me. Of course, you know there is a great deal of need for such a society as this."

We would not discourage such a movement—on the contrary, we believe it can be made useful; especially if the proposed "Union" can be shaped so as to protect the average female author from the insane bargain mania. We fear very much that many of the complications complained of by the adherents of the proposed Authors'

Protective Union had their beginning in the determination of making what they considered a "bargain" with a publisher. Now, invariably, no publisher of any standing whatever can afford to make with an unknown author, any more than with any one else, what may be regarded a "bargain" in the common acceptance of the word—that is, to give more for a thing than it is worth. Failing to make arrangements with a publisher of the better sort, these inexperienced authors as a rule fall into the hands of "phillistines," who are anxious to concede everything, and who rarely live up to a single one of their promises—their only object being to get all the spare money possible out of their victims. These are "shysters," such as may be found in every walk of life, and any movement that will make their operations less profitable, and in the end drive them out of the field altogether, will be welcomed by every self-respecting man in the trade. But we would caution the promoters of this incipient protective union to be heedful of their tongues, and not to confound the honorable men of the profession with dishonorable interlopers, lest their cause be handicapped at the start.

THE BRITANNICA COPYRIGHT DECISION.

TEXT OF JUDGE SHIPMAN'S OPINION.

Circuit Court of the United States for the Southern District of New York.

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| James T. Black <i>et al.</i> | } No. 4718. |
| <i>vs.</i> | |
| The Henry G. Allen Company. | |
| James T. Black <i>et al.</i> | } No. 4750. |
| <i>vs.</i> | |
| The Henry G. Allen Company. | |
| Charles Scribner <i>et al.</i> | } No. 4719. |
| <i>vs.</i> | |
| The Henry G. Allen Company. | |

SHIPMAN, J.: These are demurrers to the respective bills in equity for injunctions against alleged infringements of copyrights.

The important facts which are alleged in No. 4718 are as follows:

Four of the plaintiffs are members of the firm of Adam and Charles Black, of Edinburgh, Scotland, are aliens, and subjects of the Queen of Great Britain. The fifth and remaining plaintiff is Francis A. Walker, a citizen of the State of Massachusetts and of the United States.

The said firm, whose members I shall hereafter call the Messrs. Black for the sake of brevity, are the publishers of the well-known work entitled "The Encyclopædia Britannica, Ninth Edition," which is made up of articles or books, each of which is, in a large number of instances, an independent book or treatise. Three of the articles contained in the twenty-third volume of the Encyclopædia, hereinafter referred to, have been copyrighted in the United States. One of these articles, entitled "United States, Part III., Polit-

ical Geography and Statistics," was written by said Walker, who secured a copyright thereof, according to the provisions of the statutes of the United States, for the term of twenty-eight years from February 13, 1888. In the several copies of every edition published the following words were inserted on the title-page: "Copyright, 1888, by Francis A. Walker." On or about April 1, 1888, said Walker assigned and transferred to the Messrs. Black an interest in said copyright, that is to say, the said Walker did assign and transfer to your orators, constituting the firm of Adam and Charles Black, the sole and exclusive right and liberty of printing, reprinting, publishing, copying, and reading during the whole term of the said copyright, the said book entitled "United States, Part III., Political Geography and Statistics," in connection with, and as part of, their said twenty-third volume of their said Encyclopædia, designated "Encyclopædia Britannica, Ninth Edition," and not otherwise, the said Walker retaining the right to print, publish, copy, and read the said copyrighted book in every form and manner, other than as a part of said "Encyclopædia Britannica."

The bill alleges that if said Walker did not, by said agreement, assign to the Messrs. Black an interest in said copyright, the said agreement was an exclusive and irrevocable license to them to print and sell, during the term of the copyright, the said book or article, in connection with and as part of said twenty-third volume.

The copyrighted book was printed and sold in connection with and as part of said volume. The whole of the copyright, except the right to use the subject thereof in the Encyclopædia, has always remained in said Walker.

The defendant has printed and sold, without the consent of the plaintiffs, said copyrighted article in and as a part of its reprint of said Encyclopædia, except that it has omitted the copyright notice upon the title-page, and threatens to continue to print and sell the same as part of its twenty-third volume.

The bill alleges that the acts of the defendant are a great and continuing injury to each of the plaintiffs, and prays for an injunction and an account of the profits arising to the defendant from the sale of said volume.

In No. 4750 the Messrs. Black and John McAlan, a citizen of the State of New York, and administrator of the estate of the late Alexander Johnston, who was, when in life, a citizen of the State of New Jersey and of the United States, are plaintiffs. Mr. McAlan was appointed administrator by the Surrogate of the County of Mercer, in the State of New Jersey.

Prof. Johnston was the author of a book entitled "United States, Part I., History and Constitution," and secured a copyright of the same according to the provisions of the Statutes of the United States relating to copyrights. The other facts which have been stated in regard to the assignment of Walker's copyright, his title and the acts of the defendant exist in regard to Prof. Johnston, and the two bills are substantially like each other, *mutatis mutandis*. The difference between the cases is that in No. 4750 a foreign administrator is the plaintiff.

The case stated in No. 4719 is as follows:

The two plaintiffs are citizens of the State of New York, and partners by the name of Charles Scribner's Sons.

Two other persons, Hewes and Gannett, both

citizens of the United States, were the authors of a book entitled "Scribner's Statistical Atlas of the United States," and before depositing a printed title thereof with the Librarian of Congress and before publication, assigned and transferred to the plaintiffs all their right in said book, and the right to copyright it, and the plaintiffs became the proprietors of said book. The plaintiffs printed and published the book, and on December 29, 1883, secured a copyright thereof in accordance with the provisions of the Revised Statutes, and gave notice of such copyright by inserting on the page following the title-page in the several copies of every edition the words, "Copyright, 1883, by Charles Scribner's Sons."

Afterwards the plaintiffs printed and published, and licensed others to print and publish, certain maps and charts which constituted a part of said book, but gave notice of the copyright by causing to be inscribed upon the face of each copy of every map or chart thus printed by themselves or others, the words "Copyright, 1883, by Charles Scribner's Sons."

The defendant, since May 1, 1889, and without the plaintiffs' consent, published and sold a volume, entitled "The Encyclopædia Britannica, Ninth Edition, Popular Reprint, Vol. 23," in which it printed eight maps which were copied from said copyrighted book.

The bill prays for an injunction against selling copies of the book which shall contain in part said infringing maps, and for an accounting of profits.

The cause of demurrer in the two Black cases which goes to the substance of the bills, is, that they show no substantial right or equity in or on behalf of the plaintiffs and that the acts of the defendant are not contrary to law. The point is this:

Does the fact that the proprietor of a book, copyrighted in this country, has permitted an alien publisher of an encyclopædia to publish his book as a part of such encyclopædia, enable another person, without other authority, to publish in this country the copyrighted article as a part of his reprint of such encyclopædia, the remainder of what is *publici juris*?

It will not probably be seriously denied that a citizen of the United States, who is the owner of a copyright can assign the whole of such copyright to a foreigner. "A non-resident foreigner is not within our copyright law, but he may take and hold by assignment a copyright granted to one of our own citizens." (*Carte v. Evans*, 27 Fed. Rep., 861.)

It is, however, contended that while a copyright may be assigned, as a whole, by a written instrument, it cannot be subdivided, but is an entire thing, indivisible, and incapable of apportionment. The statute simply provides that the copyrights are assignable at law, by an instrument in writing, and obviously the whole or an undivided part thereof may be assigned, so that the copyright may become "the individual property of joint owners." (*Drone on Copyright*, 368.)

To what greater extent copyrights may be subdivided, at law, the statute does not declare, and in this case it is not necessary to inquire.

Under Section 4964, a license in writing by instrument duly witnessed may be given by the proprietor to any other person to the extent described in such license, and there is no restriction upon the power of the proprietor to assign, or transfer, in equity, an exclusive right to use the

copyrighted book, in a particular manner or for particular purposes, upon such terms and conditions as may be agreed upon. In such case, the legal title remains in the proprietor, and a beneficial interest, to the extent which is agreed upon, rests in the other party, who has acquired an equitable right in the copyright, and who will be properly styled an assignee of an equitable interest. (Curtis on Copyright, 225.)

In these two cases, as the Messrs. Black and the proprietors of the legal title are all made parties, and properly so, whether the Blacks are licensees or are owners of an equitable interest in the copyrights (Goodyear v. New Jersey Central R. R. Co., 1 Fish, 626; Goodyear v. Allyn, 3 Fish, 374). I do not conceive it necessary to determine at this time by what name the publishers' interest in the copyrights may be more properly called.

The question is reduced to this: Does the fact that the copyrighted books were inserted by permission in an encyclopedia, as a part thereof, permit an unauthorized use of them in a reprint of such work?

If a poem or an essay for which a copyright had been secured in this country by the author, a citizen of the United States, should be permitted to be inserted in a volume of poems or essays, a part of which was *publici juris*, it could not reasonably be claimed that the author had thereby abandoned his copyright, and that his book could be reprinted by itself without his consent in this country.

It cannot be contended that the defendant would have a right to reprint Walker's or Johnston's treatises in separate volumes, without the consent of the respective proprietors. Can then the poem or essay be printed, without the consent of the author, as a part of an unauthorized reprint of the entire volume?

The defendant takes the affirmative in these cases, because, 1st, the work as a whole is a foreign work and the bulk of the volume is *publici juris*, and, 2d, because the insertion of Walker's and Johnston's articles in the twenty-third volume was for the manifest purpose of preventing citizens of the United States from reprinting that volume, which would have been, but for those articles, *publici juris*, and therefore was an attempt which will not receive the favor of a court of equity.

Upon the first point, there is no vital difference in regard to the infringement of an author's copyright, whether it is printed in a separate volume or in connection with authorized material. If the author has a valid copyright, it is valid against any unpermitted reprint of his book, and the fact that his book is bound up in a volume with fifty other books, each of which is open to the public, is immaterial.

The argument of the defendant upon this part of the case is mainly directed in support of the second point, and is this: The Encyclopedia Britannica, as a whole, was the production of aliens, who could obtain no copyright in this country, and is a work of great value to the whole people. Except for the introduction of a few articles which were copyrighted in the United States, it could have been reprinted here in cheap form, and the defendant, when he entered upon his undertaking, had good reason to suppose that it could be thus reprinted.

The employment of citizens of the United States to write articles which were to be used in some of its volumes and the purchase of an inter-

est in the copyright of such articles, were an attempt to deprive the defendant and other like-minded persons of a privilege which they would otherwise have enjoyed and were for the purpose of giving the foreign owners of the encyclopedia an advantage in the sales of the work in this country; the attempt contained an element of unfairness, because the book, if written by foreigners, could be reproduced here, and the complainants have only a color of copyright interest, and therefore should not receive the sanction of the courts.

The statements in the preceding paragraph, with the exception that the effect of the plaintiff's interest in the Johnston and Walker's articles had an element of unfairness in it, are true, and present by themselves no adequate argument in favor of the defendant. The acts of Johnston and Walker were in accordance with the statutes of the United States, the acts of the Messrs. Black were for the purpose of making a use of the statutes which might assist them against pecuniary loss, and give them a more unobstructed field for their large commercial venture. The disputed point is whether there was an element of fraud or injustice in the scheme which would prevent a court from regarding it with favor.

There was no impropriety in soliciting competent citizens of the United States to write upon its history, and I can perceive no unfairness or injustice towards the defendant company in the plaintiffs' use of the copyright-laws for their pecuniary advantage, and as a weapon with which to repel a competition which is more enterprising than considerate. There was no trap set for the defendant, whose officers must have known that the Ninth Edition was, in great part, a new work, and that its contributors would not be confined to one country. It must be recollected that the question now to be considered does not relate to the extent of the decree, but whether the bills show a right to any decree; and it will be a subject for future consideration, whether the prayer of the bill should be granted to its full extent.

Several objections of a more technical character are made to the bills. They are demurred to for insufficiency of the affidavits. Bills, in certain cases, which are specified in the Chancery text-books, are required to be verified by the oath of the party, and the New York Chancery practice required that bills for injunctions should be thus verified. In the federal courts, whenever a bill for an injunction is to be used as evidence, either upon a motion for preliminary injunction or in any other way, it must be verified, but there is no imperative rule requiring verification of a bill, at the time it is signed, which prays only for a common injunction (Woodworth v. Edwards, 3 W. & M., 120; Hughes v. No. Pac. R. Co., 18 Fed. Rep., 106).

The next alleged cause of demurrer is that the bills are uncertain and contradictory, because it does not appear whether the alien plaintiffs claim as co-owners of the copyright or as licensees.

The bills allege the terms of the agreement of assignment, and then say that if, by such agreement, an interest in the copyright was not assigned and transferred to the Messrs. Black the agreement was an exclusive license. That is a correct form of equity pleading. The facts are stated and the conclusions therefrom are stated in an alternative form.

The next point is that it does not appear that the agreements or assignments between the

authors and the Messrs. Black were in writing.

The bills declare in substance that the complainants are the only persons who have a legal or equitable title to the copyrights, and allege the nature and extent of the equitable title, and that it was acquired by assignment from the proprietors.

It is further averred that the complainants are well seized of said copyright, and are the owners thereof. It is not necessary, where all the legal and equitable owners are joined, to state the formalities or the mode of conveyance by which the equitable interests became vested in the co-complainants, and if the owner of the entire legal title is a complainant, it is immaterial whether the equitable owners became vested by an instrument in writing or by parol.

The eighth cause of demurrer is to the effect that the bill of complaint does not show that the ownership of the copyright is vested in any of the Messrs. Black. I have so fully remarked upon the theory of the bill and of the law in regard to legal and equitable ownership of copyright that it is not necessary to discuss this point further.

The seventh cause is that the charge of infringement is not made upon knowledge. It is made positively, as a fact, but the affidavit does not assert that the averment is within the knowledge of the affiant. The averment is sufficient and the necessity of an affidavit has heretofore been considered.

The ninth, tenth, and eleventh points do not seem to me to require extended remark.

The defendant has also demurred in No. 4750 upon a ground peculiar to that case, viz., that McAlan, being a foreign administrator, and never having taken out ancillary letters of administration in the State of New York, cannot sue in the courts of that State. [After examining this point and citing authorities the Court sustained the demurrer, with leave to the complainant to amend (if ancillary letters of administration shall be taken out in the State of New York) within thirty days after the date of the order upon the demurrer.]

In No. 4719, additional and different reasons of demurrer are relied upon.

The principal new causes are that the alleged assignment of the inchoate right is not averred by the bill to have been in writing, and that it is clear upon the face of the bill that the reprinted maps were never legally copyrighted by the complainants.

The position of the defendant is that an atlas is a bundle of maps; that there is no such thing as a manuscript of a map; and therefore the manuscript cannot be transferred to the assignee; and furthermore, that every assignment of an inchoate right before copyright is obtained must be in writing. The alleged invalidity of the copyright is upon the ground that the book or atlas was copyrighted, whereas it is said that each map should have been copyrighted.

A statistical atlas is a book of maps, tables, and printed text, and is not simply a bundle of maps, and is properly copyrighted as a whole. There was no necessity of copyrighting separately each map in the book. The unauthorized reprinting of eight maps from this volume, it being alleged that all of them were originated and prepared by the authors, is an infringement of the same character as the reprinting of original statistical tables or other printed matter. An inchoate right to a copyright may, prior to the taking of the copy-

right, be transferred by parol. (Lawrence v. Dana, 4 Cliff, 1; Callaghan v. Myers, 128 U.S., 625.)

The other additional points referred to the averments of the bill in regard to the plaintiffs' licenses and to the propriety of attaching to the bill the maps as exhibits. The pleader attached to the bill copies of the infringed and of the infringing maps as part thereof. His course in regard to these two particulars was proper.

The demurrers in Nos. 4718 and 4719 are overruled. The demurrer in No. 4750, is sustained, with leave to amend as hereinbefore stated.

Rowland Cox, for the plaintiffs. James A. Whitney, for the defendant.

FUNK & WAGNALLS WITHDRAW THEIR BRITANNICA REPRINT.

TO THE PUBLIC: The Messrs. Black, of Edinburgh, have just notified us of their unwillingness to accept a share of the profits of our sales of the "Britannica," declining the three hundred pounds sterling which we, up to date, had sent them as an *individual* courtesy, in the absence of the national courtesy of a recognition of the services of foreign publishers and authors. It has been our custom, in the handling of foreign books, to supply in what seemed to us a just and generous way this want of national courtesy. This we have done voluntarily, and, we think, the sober, second sense of the public will say generously. We believe it true that an examination of our royalty books by any intelligent committee of business-men will prove that we have paid to foreign holders of copyright three times as much as has been paid by any other leading American house, on an average, for each foreign book that we have placed upon the market. We will be glad to open our royalty books for an exhaustive investigation along this line.

We have decided to receive no further orders for the "Britannica," completing only unfilled contracts or orders. We take this step because we do not wish to be placed by our opponents (whose virulence seems to have overstepped all bounds of fairness) in the false position of opposing international copyright—a measure in which we heartily believe, and for which we have often spoken and labored. Some honest friends of this measure, on whose judgment we have long placed great reliance, assure us that the bitter controversy which is growing out of the sale of the "Britannica" by us will prove a serious stumbling-block to this measure before Congress. Out of deference to the judgment of these friends we will gladly forego what pecuniary advantages might result to us by a continuance of this sale.

We must, however, in this connection, call attention to what we are sure is a great mistake that some of the more noisy friends of copyright have made in the present controversy; that is, in claiming that property right exists in published ideas independent of statutory law. In selling the "Britannica," or in continuing its sale, we do not believe that we have violated, or would violate, any moral law—much less any statutory law. If the property right inheres, it is perpetual, and, hence, to the mind of the public, would make legally possible the formation of a kind of a hereditary literary aristocracy, based upon a monopoly descending from generation to generation. The American public is in no mood just now to grow

enthusiastic over any measure that squints that way, and, hence, will defeat every time international copyright thus injudiciously agitated. The right theory, we are sure, in reference to copyright is that which controls in regard to patents—the reward theory; that is, that the nation, as a reward for the services rendered, gives for a number of years an exclusive control of the sales of the book or patent.

Will the friends of copyright permit us to urge in this connection that they re-read what Chancellor Kent, the great legal commentator (vol. 2, page 375), says of the copyright trials in England, which finally established, in 1774, the present common law rulings in reference to copyright? Also, it will not serve them amiss if, in connection with Judge Shipman's rulings, they re-read carefully the syllabus and opinion of Judge Butler in the application for an injunction by the Scribners against the Stoddart reprints, as found in *The Reporter* (9th vol., page 137).

FUNK & WAGNALLS.

18 AND 20 ASTOR PLACE, July 1, 1890.

THE BOOKSELLERS' AND STATIONERS' PROVIDENT ASSOCIATION.

THE Board of Trustees of the Booksellers' and Stationers' Provident Association met on Tuesday, June 24, 1890. The following officers were elected for the ensuing year: President, Charles T. Dillingham; Vice-President, Thomas R. Knox; Second Vice-President, Robert Morris; Treasurer, O. M. Dunham; Secretary, Wilbur B. Ketcham. Also the following Assistant Vice-Presidents: B. H. Ticknor, R. K. Smith, Edward Meeks, Samuel Carson, John C. Parker, Walter R. Austin, and Harry Watts. The following new members were also elected:

Henry N. Hubbard, New York City.
Myron H. Fish, Chicago, Ill.
John S. Cook, Jr., New York City.
Thomas C. Reynolds, Philadelphia, Pa.
Andrew B. Paddock, New York City.
Jeremiah J. Denehy, Brooklyn, N. Y.
William F. Lee, Philadelphia, Pa.
William Ira Scandlin, Brooklyn, N. Y.
Lewis Otto Franz Battie, New York City.
Henry Joseph Hynes, Brooklyn, N. Y.
Milford Lambie Martin, Pittsburg, Pa.
Charles Walton, Brooklyn, N. Y.
William Brown, New York City.
Thomas J. Carey, New York City.
Charles T. Root, New York City.
William O. Allison, New York City.
John W. Baker, New York City.
Arthur C. Gamgee, New York City.

WILBUR B. KETCHAM, *Secretary*.

SPURIOUS AUTOGRAPH LETTERS OF SCOTCH AUTHORS.

A LONDON newspaper some months ago warned collectors against the extensive fabrication of autograph letters of Burns, Scott, Carlyle, and others that was going on "at or near Edinburgh." A note of this warning was made at the time in the *New York Times*, and the note has since reached the eye of Mr. James Stillie, of Edinburgh. "As an old bookseller and dealer in manuscripts," says Mr. Stillie in a letter to the *Times*, "I beg most sincerely and also in the name of my brethren, to assure you that there is not a word of truth in that paragraph." Mr. Stillie is a venerable bookseller. Lord Rosebery,

in his recent address at the opening of the Edinburgh Public Library, given by Mr. Carnegie, referred to Mr. Stillie as having "acted as printer's devil to Sir Walter Scott, and waited on the stairs reading the proof-sheets of the novels while the Great Unknown, as he still was then, was correcting other proof-sheets for him to take away."

IMMORAL LITERATURE IN BELGIUM.

THE scandal caused by the sale of immoral literature at the bookstalls of the railway stations in Belgium has reached such a height that M. Van den Peereboom, who is the Minister of Posts, Telegraphs, and Railroads, has, according to a correspondent of the *N. Y. Tribune*, been forced to adopt the extraordinary course of suppressing the sale of books on all property belonging to the Railroad Department. All bookstalls at the various railway stations have been abolished. Although the remedy thus applied is of a singularly arbitrary nature, yet no objection has been publicly expressed against its enforcement. This is perhaps due to the fact that the newspapers believe that it will largely increase their circulation. For being now the only form of literature permitted to be sold at the railway stations, travellers will no longer be tempted into buying lighter forms of reading.

THE VATICAN'S HEBREW BIBLE.

A SYNDICATE of Jews has offered \$200,000 for the Vatican copy of the Hebrew Bible. This is a report in Europe which the *Pall Mall Gazette* says is confirmed. The *Gazette* gives the following account of previous negotiations for the purchase of this book: "In 1512, when Pope Julius II. was desperately in need of funds in order to keep up the 'Holy League' against Louis XII. of France, he was approached by the Jews as his successor in the chair of St. Peter is now. They offered a comparatively small sum at first, but subsequently increased the amount, tendering at the same time a blank order on one of their number in Venice to be filled up in ducats according to the weight of the Bible, as against an equal weight of pure gold. The Pope got so far as to weigh the precious volume, and found that it scaled 325 pounds avoirdupois, or 433 pounds-troy, which at £4 the ounce, then about the value of gold, represented the enormous sum of £20,784 and a fraction. This amount in its equivalent the Jews pressed on the Pope, who, however, either because he found himself unable to part with property in which he would not seem to have more than a life interest, or on account of the pressure brought to bear on him, declined after much hesitation to part with the volume. Should the present negotiations be more successful the amount now offered will be the largest sum ever paid for a book, whether in manuscript or in print."

OBITUARY.

EDWARD J. McDONNELL.

EDWARD J. McDONNELL, whose death was briefly noted last week, met with his death on an express train bound from Chicago to New York, June 24. The train was derailed at Copetown, Canada, on the main line of the Grand Trunk Railway, and hurled down an embankment. Mr. McDonnell was killed outright. He and his wife

were in the sleeper "Kinderhook." He was half way out of the window and was pinned under the heavy coach when it landed in the ravine. He was crushed to death. He was on his way, in company with his wife, to New York to take the steamer for Europe, where they intended to spend the summer. Mrs. McDonnell was also seriously injured about the head.

Mr. McDonnell was born in Dublin, Ireland, in 1849. When nearly eighteen years old he came to New York City, where he entered the employ of Wm. R. Grace & Co., by whom he was sent to Lima, Peru. The southern climate did not agree with him, so he had to abandon very bright prospects and return to the United States. Shortly after the great fire he settled in Chicago and with his brother, Wm. M., established in 1881 the firm of McDonnell Bros., subscription booksellers in the Grannis Block. About that time he had obtained control of "Harper's History of the War," which made the basis of a successful business. They were burned out in the Grannis Block and in 1885 settled down at 185 Dearborn Street.

Mr. McDonnell was a pushing, energetic business man, and exceptionally popular, his sterling business character and many amiable personal qualities having made him very highly regarded in a wide circle of acquaintances. Ten years ago he married Miss O'Neill, of Port Huron, Mich., a member of a well-known family of that place, whose brother was a few years since Mayor of the city. Three little children survive the deceased.

THE death is announced of Mr. F. A. Suttaby, formerly of the old-established publishing firm of Suttaby & Co., in which he relinquished his interest several months ago, when the house was turned into a limited company, and the result not being satisfactory, the business is, we understand, now wound up.

JOURNALISTIC NOTES.

THE London *Athenæum* for July 5 contains articles on the continental literature of the past twelve months. They include Belgium by MM. E. de Laveleye and P. Fredericq, Bohemia by M. Cermák, Denmark by M. Petersen, France by M. J. Reinach, Germany by Hofrath Zimmermann, Greece by M. Lambros, Italy by Commendatore Bonghi, Norway by M. Jæger, and Russia by M. Milyoukov.

THE first number of the *American Etcher* has just been issued by George F. Kelly & Co., 31 Union Square, New York. In form it is a large quarto, giving eight pages of letterpress, and as a supplement enclosed, a fine etching on Japan paper, in a mat. The reading-matter is chiefly an article by Frederick Keppel on "What Etchings Are," notes on general art and an article on art in Chicago. The etching is a good piece of work, easily worth twice as much as the cost of a single number of the magazine.

THOMAS BAILEY ALDRICH has resigned the editorship of *The Atlantic Monthly* and has been succeeded by Horace E. Scudder. Mr. Aldrich succeeded Mr. Howells in this important position in 1881, and has edited the magazine on the scholarly lines set by his predecessors. Mr. Horace E. Scudder has already contributed very largely to the *Atlantic* and is widely known as a successful author. Among his well-known books

are "Seven Little People and Their Friends;" "The Dwellers in Five-Sisters Court;" "Noah Webster" in the *American Men of Letters Series*; and "Stories from My Attic." He is editor of the *American Commonwealths Series*.

PERRY MASON & Co., publishers of the *Youth's Companion*, will at once begin the erection of a building for its business on the corner of Columbus Avenue and Berkeley Street, Boston. The building will be a large one, having a frontage on Columbus Avenue of more than 200 feet and on Berkeley Street of 100 feet. It is intended to use the whole building for the purposes of the paper. Probably there are comparatively few people who realize to what size the *Youth's Companion* business has grown. The paper was the first weekly paper for young people published in the United States, and probably in the world. It began its existence in the year 1827, and its publisher was Nathaniel Willis, the father of N. P. Willis, the poet. At this time Boston had but a few thousand population, and the whole United States had probably less than \$12,000,000 people. During all the history of the *Companion* it has had but two managements, and both have followed out the lines laid down by its founder in the prospectus of the first number, published April 16, 1827. He wrote:

"This is a day of peculiar care for youth. Patriots and philanthropists are making rapid improvements in every branch of education. Literature, science, liberty, and religion are extending in the earth. The human mind is becoming emancipated from the bondage of ignorance and superstition. Our children are born to higher destinies than their fathers; they will be actors in a far advanced period of the church and the world. Let their minds be formed, their hearts prepared, and their characters moulded for the scenes and the duties of a brighter day."

NOTES ON AUTHORS.

GEN. LONGSTREET is understood to be engaged on a history of the civil war and especially of the campaigns in which he had a share.

MISS MOLLY ELLIOT SEAWELL (whose novel "Throckmorton" is about to be published by D. Appleton & Co.) is a young lady now living in Washington City. She is, says Murat Halstead, "a niece of ex-President Tyler, and her father was a lawyer of distinction in Virginia. Her first dash in literature was in *Lippincott's Magazine*, to which she contributed a number of Russian stories. In 1886 'Maid Marion' appeared in *Lippincott's*, and was a great success, necessitating an extra edition of the magazine. She was asked by the editor to write him a complete novel, and 'Hale-Weston' was the result. She soon completed a novel, 'The Berkeleys and Their Neighbors,' which was recognized as something remarkable for its force and naturalness, and the reviewers had many pleasant things to say. Miss Seawell's latest success is the taking of the five-hundred-dollar prize offered by the *Youth's Companion*, of Boston, with her story 'Little Jarvis' (which will be published in the autumn by D. Appleton & Co.). The merit most characteristic and highly prized in the writings of Miss Seawell is the truth to life of her pen-paintings of Virginia and the Virginians, especially those phases that are marked under the revolutionary changes of the war that broke up the old ways, and infused so much that was peculiar in current and pathetic in ancient association. Miss Seawell is a true Southern woman, tall, graceful and gracious, animated and handsome."

NOTES ON CATALOGUES.

A COMPLETE catalogue of the late Dr. Döllinger's library is in course of preparation, and will be published at an early date. Copies of it may be procured by applying to Fräulein Döllinger, at No. 11 Von der Tannstrasse, Munich, Germany.

HENRY FROWDE, London, will publish in the fall a "Guide-Book to Books." This will contain lists of books that may be recommended as of value in every department of knowledge, and brief notes will be added, where necessary, explanatory of the scope and nature of the works mentioned in it.

THE INTERNATIONAL NEWS Co. have become the General Agents for America for the "Directory of Technical Literature," published by Fritz von Szczepanski, Leipsic. This claims to be a catalogue of all books, annuals, and journals published in America, England, France, and Germany, including their relations to legislation, hygiene, and daily life, aiming to give to the technologist the most recent and reliable information concerning publications dealing with the arts, and to the theorist an accurate index of general literature called for in his studies. The directory gives title, contents, list of illustrations, publisher, size, and price of the various publications and periodicals bearing upon technology throughout the civilized world.

Catalogue of New and Second-hand Books.—E. Dufossé, 27 Rue Guénégaud, Paris, Une importante collection de cartes, plans et vues relatifs à L'Afrique et aux îles africaines, (7th ser., No. 1, 34 p. 16°) also, Une importante collection de cartes, plans et vues relatifs à l'Asie et à l'Archipel Indien. (7th ser., No. 2, 34 p. 16°).—Miller's Old Bookstore, 2 Arcade Court, Chicago, Americana, local histories, etc. (June, 167 titles).—David Nutt, 270 Strand, London, Miscellaneous with a collection of early printed books from the library of Sir Edward Sullivan. (No. 19, 450 titles).—Henry Stevens & Son, 39 Great Russell St., London, Americana. (No. 20, 34 p. 16°).—C. L. Van Langenhuisen, 434 Cingel, Amsterdam, Bibliothèque de Mgr. O. A. Spitzen, especially rich in works on Thomas à Kempis and editions of the *Imitatione Christi*. (1254 titles.)

BUSINESS NOTES.

AUBURN, ME.—Haskell & Reynolds, booksellers, have dissolved partnership.

BRYAN, TEX.—Mayers & Haswell, booksellers and stationers, have succeeded the old firm of Connico & Haswell.

CEDAR RAPIDS, IA.—Mullin & Vorhes, booksellers and stationers, have dissolved partnership. Geo. A. Mullin will continue the business under his own name. Mr. Vorhes has become proprietor of the Bank of Maynard, Ia.

CINCINNATI, O.—Samuel C. Cox & Co., booksellers, have sold out.

CLYDE, KANSAS.—Isaac Kauffmann has succeeded E. De Bray, bookseller.

DELAVER, WIS.—A. J. Woodbury, bookseller and stationer, has been succeeded by Phoenix & Gates.

FT. SMITH, ARK.—Wright & Bradley booksellers, have dissolved partnership.

GRAND RAPIDS, MICH.—L. B. Brewer, bookseller and stationer, has sold out.

GRAYVILLE, ILL.—T. J. Matthews, bookseller, has sold out to J. A. Shelton.

HARVARD, NEB.—George W. Martin, bookseller, has gone out of business.

LIGONIER, IND.—J. H. Hoffman, bookseller and stationer, having been appointed postmaster at that place, his business will be continued under the management of Grant Himes.

LOUISVILLE, KY.—The Baptist Book Concern has purchased the book-store of Charles T. Dearing for about \$50,000 the transfer to take place July 1. Mr. Dearing, who will remain with the new establishment, is well known in the Southern book trade. He began when a boy with a little news-stand on Third Street, between Market and Jefferson, and by politeness to his customers and persistent attention to business he built up the best newspaper trade in the city. As he prospered in business he enlarged his stock, and finally moving to the corner of Third and Jefferson, renting the large store, where he did so well that the adjoining store was taken and both thrown into one. Next he bought the entire property and handsomely improved it. For several years he has kept one of the best general book-stores in Kentucky. This stock will soon be greatly enlarged to adapt it to the demands of a Baptist Book Concern for Southern Baptists, who number 1,200,000. By the terms of the agreement Mr. Dearing will shortly arrange to dispose of the Fourth Street branch house, so that his undivided attention will be given to the Baptist Book Concern.

LYONS, N. Y.—Mrs. H. B. (Carrie R.) Lent, bookseller and stationer, has been succeeded by M. M. & C. Young.

MARION, O.—C. G. Wiant, bookseller and stationer, has dropped wall-paper from his line, and with newly-papered store, new counters, shelves, and other improvements, is prepared to push the legitimate trade in books and stationery to the full extent.

NEW HAVEN, CONN.—F. T. Jarman, bookseller, has disposed of his stationery stock to H. J. Augur, who will occupy half of Mr. Jarman's store at 123 Church St., with a fine stock of art goods. Mr. Jarman will continue his business in the same lines as for nearly forty years past.

NEW ORLEANS, LA.—Wm. Muhl, bookseller and stationer, is dead.

NEW YORK CITY.—The F. A. Stokes Co. and O. Wiegand the bookbinder had their premises damaged by smoke and water resulting from a fire in the building they occupy at the corner of University Place and 9th St. As the Stokes have only temporary offices their loss was not serious.

NEW YORK CITY.—Fletcher H. Bangs, assignee of the late firm of White & Allen, advertises that all creditors and persons having claims against Joel Parker White and Frank Allen, composing the firm of White & Allen, and of Joel Parker White individually, are required to present their claims, with the vouchers therefor duly verified, to him, the substituted assignee, for the benefit of the creditors, at his office, No. 739 Broadway, New York, on or before the tenth (10th) day of September, 1890.

PORTLAND, IND.—C. S. Wakenight, bookseller, has sold out.

ST. CLOUD, MINN.—W. C. Montgomery, bookseller, has sold out.

LITERARY AND TRADE NOTES.

LITTLE, BROWN & Co. have in preparation a book of stories for girls by Nora Perry.

THE second edition of "Aryan Sun-Myths; the Origin of Religions," will be published by the author, Sarah E. Titcomb (author of "Early New England People," etc.), 83 Pinckney Street, Boston, Mass.

STREET & SMITH will publish at once in their *Secret Service Series* "Old Specie," by Dr. Alex. Robertson; and in their *Select Series* an interesting story by Amanda M. Douglass, entitled "A Midnight Marriage."

J. B. LIPPINCOTT COMPANY announce a goodly list of books in press. In fiction they will issue "Pearl Powder," by Anna Edwards, and new novels by Mrs. H. Lovell-Cameron, Mrs. E. Kennard and Hawley Smart—for all of which they have made special contracts with the authors. Of literary value will be "Gleanings for the Curious from the Harvest Fields of Literature, a *melange* of excerpts" collated by C. C. Bombaugh; and the "Historic Note-Book," by the Rev. E. Cobham Brewer, compiler of "The Reader's Handbook," "Dictionary of Phrase and Fable," etc. Medicine will be represented in "Regional Anatomy: its relation to medicine and surgery," by Dr. George McClellan; a fifth edition of "A System of Oral Surgery," by Dr. James E. Garretson; a seventh edition of Dr. J. M. Da Costa's "Medical Diagnosis," and "Sewage Disposal Works," by W. Santo Crimp. The remaining announcements are: "Classical Picture Gallery," one hundred and forty-four plates of the choicest examples from European collections, edited by Prof. von Reber and Dr. Bayersdorfer; "European Days and Ways," by Alfred E. Lee; and "In and Out of Book and Journal," by A. Sydney Roberts, illustrated by Van Shaik.

GEORGE P. HUMPHREY, Rochester, N. Y., may be congratulated upon having issued a book that for daintiness of manufacture compares favorably with the work of some of our leading publishers. Alexander Smith's celebrated book of essays written in the country, entitled "Dreamthorpe," which raised endless discussion in literary London more than a generation ago, has been brought out in a neat 16mo volume, delicately printed and chastely bound in smooth green cloth. It contains a portrait of the author and other illustrations by Louis J. Rhead. Alexander Smith was born in Scotland in 1830. He was first destined for the ministry, but circumstances made him a designer of lace patterns in a Glasgow factory. From there he published his first book, which made a sensation among leading writers of his day and brought him the Secretaryship of the University of Edinburgh, which he retained through life. His style was the admiration of Charles Lamb. The essays included in this pretty volume are: "On the writing of essays;" "On death and the fear of dying;" "William Dunbar;" "A lark's flight;" "Christmas;" "Men of letters;" "On the importance of a man to himself;" "A shelf in my bookcase;" "Geoffrey Chaucer;" "Books and Gardens;" and "On Vagabonds."

WE regret to hear that Mr. Thomas Nelson, of the publishing house of Thomas Nelson & Sons, is seriously ill.

THE biography of Sarah Bernhardt, which is in preparation, will not be ready till September. Special interest will, it is understood, attach to numerous letters of the actress, which the work will contain.

WILLIAM ANDREWS, of Hull, proposes to publish in November an illustrated volume descriptive of "Obsolete Punishments." It will deal with the docking-stool, branks, pillory, etc., and will contain a number of quaint pictures from old prints and drawings.

WILLIAM HEINEMANN, London, has just issued Archdeacon Farrar's impressions of the Passion Play at Ober-Ammergau. The book is daintily gotten up, and contains views of that small Bavarian village which is now attracting a weekly average of four thousand visitors from all parts of the globe.


THE Russian police have seized all the copies of the memoirs of the Princess Dolgorouki, which has just been published in St. Petersburg. The book is said to be exceedingly interesting in some parts, on account of the writer's knowledge of some inside facts concerning the imperial family, and for a very graphic account of the occurrences which took place on the eve of the assassination of the late Czar.

BROCKHAUS & Co., of Leipsic, have secured the rights for the publication of the book Emin Pasha is writing about his life and discoveries in Africa. Emin, in accepting the publishers' offer, sent word that it would be some time before he could complete the book, particularly as the new expedition that has taken him into the interior again will, for the present, demand about all his time and activity.

CHARLES BOOTH, the author of "Life and Labor in East London," is well on his way with the second volume of his great survey of industrial London, which is to be completed in four volumes. The second instalment will probably be ready next March, and will be general, not local, in its scope, with special reference, however, to the southern and central districts. It will be illustrated by a "poverty-map for all London," carefully colored to show the various grades of social misery described in the work on the East End. Another special feature will be a minute and elaborate examination of the social problems which the work of the Board schools has brought to light. The publishers are Williams & Norgate, London.

THE long-sought source of the "Rules of Civility," contained in a boyish manuscript of George Washington, has, so says the London *Athenaeum*, been discovered. Mr. M. D. Conway was led to suspect a French origin by the discovery that Washington's pastor at the time (1745) was a Huguenot named Marye. On the suggestion of Dr. Garnett, of the British Museum, Mr. Conway examined an old work in Latin and French, "Communis Vitæ inter Homines Scita," and has found in it nearly all of Washington's 110 rules. In 1888 Dr. Toner printed in Washington City a transcript of the "Rules," so far as they are now legible. An edition, with the omissions supplied within brackets, and a monograph on the whole subject, will be prepared by Mr. Conway.

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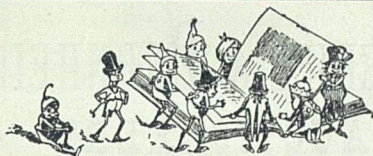
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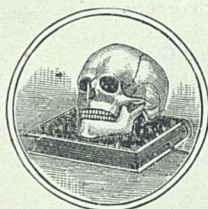
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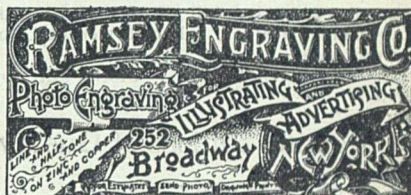
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